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SECURITY COUNCIL
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Identical letters dated 19 March 1999 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a declaration dated 19 March 1999 from Prime Minister Hun Sen of Cambodia on the issue of the trial of Ta Mok (see annex).

I should be very grateful if you would have the text of the present letter and of its annex circulated as a document of the fifty-third session of the General Assembly under agenda item 110.

(Signed) OUCH Borith
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative

Annex

DECLARATION OF PRIME MINISTER HUN SEN OF THE KINGDOM OF CAMBODIA ON THE ISSUE OF THE TRIAL OF TA MOK

(Phnom Penh, 19 March 1999)

Recently, there have been misleading interpretation that Cambodia will try only one Khmer Rouge leader – that is Ta Mok, while other leaders will be free from any charges by law. At the same time, some circles have said that the national court in Cambodia does not meet the level and standard of an international court.

Since the interpretations have brought about confused understanding on the issue, I wish to re-affirm as follows:

First, the arrest of Ta Mok, and the bringing of Ta Mok to the trial by law are neither new issue nor first trial of those responsible of the Khmer Rouge clique. We have proposed a formula for the trial of those leaders of the Pol Pot genocidal regime since before the actual arrest of Ta Mok. The existing national court will take up the responsibility to conduct research and judgement on the case of Ta Mok. As for other charges on other people aside from Ta Mok, it will be a unique jurisdiction of the court to make charges. I myself, as well as other people, have no rights whatsoever to charge this or that person, or to pre-determine how many people will stand trial. I myself never provide guarantee to anyone to be free from the charges issued by the court of law.

Second, if there were the understanding that the existing national court of Cambodia did not meet the international standard, the Royal Government of Cambodia welcomes assistance, including legal experts, from various countries to be able to assist the court of Cambodia in order to try the Khmer Rouge leaders in accordance with the international standard for the sake of justice for all the victims.

Taking this opportunity, I wish to re-affirm that seeking justice for the people of Cambodia should be conducted in a strict manner by the existing national court of Cambodia, while safeguarding independence, sovereignty, peace and national reconciliation.